

Entered - 09/29/00 - sb
CL00L0599 - DIANNE C. MITCHELL

**CLAIM OF: STATE FARM INSURANCE COMPANIES AS
SUBROGEE OF THELMA K. DAWOOD**

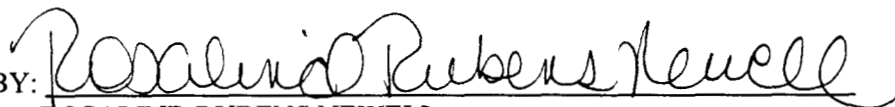
11350 Johns Creek Parkway
Duluth, Georgia 30098-0001

For damages alleged to have been sustained as a result of a vehicular accident on June 17, 2000 at Cross Creek High School, 3855 Waynesboro Road, Augusta, Georgia.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **STATE FARM INSURANCE COMPANIES AS SUBROGEE OF THELMA K. DAWOOD** the sum of **\$1,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on June 17, 2000 at Cross Creek High School, 3855 Waynesboro Road, Augusta, Georgia as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0599

Date: October 26, 2000

Claimant/Victim STATE FARM INSURANCE COMPANIES AS SUBROGEE OF THELMA K. DAWOOD

BY: (Atty) (Ins.Co.) _____

Address: 11350 Johns Creek Parkway, Duluth, Georgia 30098-0001

Subrogation: X Claim for Property damage \$ 1,780.88 Bodily Injury \$ _____

Date of Notice: 09/29/00 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 06/17/00 Place: Cross Creek High School, 3855 Waynesboro Road

Department PRCA Division: Recreation

Employee involved Jeff Stancil Disciplinary Action: Verbal Warning

NATURE OF CLAIM: The driver of the City vehicle misjudged his clearance and backed into the claimant's parked vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police X Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement X

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,000.00 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 10-26-00

Committee Action: _____ Council Action _____

FORM 23-61

State Farm Insurance Companies



Auto Claim Central - Subrogation U
11350 Johns Creek Parkway
Duluth, GA 30098-0001

September 22, 2000

City Of Atlanta Dept Of Law
68 Mitchell St Sw, Ste 4100
Atlanta, SC 30335-0332

ENTERED - 9-29-00 - SB
00L0599 - DIANNE MITCHELL

Mitchell
09/29/00
Du

RE: Our Claim Number: 40-2420-948
Our Insured: Thelma K. Dawood
Date of Loss: June 17, 2000
Amt. State Farm Paid: \$1,473.56
Insured's Deductible: \$307.32
\$1780.88 total
Your Insured: City Of Atlanta
Address: 675 Ponce Deleon Ave NE Suite
Atlanta, GA 30308
Claim Number: 00L0441
Policy Number:

Dear City Of Atlanta Dept Of Law:

We have been informed that you are the insurance carrier for the party designated as your insured in the above caption.

Our investigation indicates that your insured is responsible for this loss.

Please accept this letter as a notice of our subrogation rights and communicate with us in regard to your position in this matter.

Sincerely,

Jody

Jody Mullins
Claim Expediter
(770) 418-5750

State Farm Fire And Casualty Company

Enclosure

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0599

\$ 1,000.00

IN CONSIDERATION of the sum of ONE THOUSAND AND NO/100
 DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever
discharge said City, its officers and employees, including but not limited to Jeff Stancil, from any and all claims,
demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account
of anything that has heretofore occurred, and particularly for or on account of a vehicular accident
which occurred on or about the 17th day of June, 2000

at or near Cross Creek High School, 3855 Waynesboro Road, Augusta, Georgia

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this 24 day of October, 2000.

Rodney Mullins for State Farm (LS)
STATE FARM INSURANCE COMPANIES
AS SUBROGEE OF THELMA K. DAWOOD

The above release was read and explained to, and signed by the said

Tody Mullins for State Farm in our presence on the date above written.

Oliver Dana

Witnesses

00- *R* -1804

40-2420-9C/8